

Brunswick Corporation d/b/a Brunswick Four Seasons Bowl and Local Union No. 50, Service Employees International Union, AFL-CIO-CLC, Petitioner. Case 14-RC-9277

August 21, 1981

DECISION ON REVIEW AND ORDER

BY MEMBERS FANNING, JENKINS, AND
ZIMMERMAN

On November 5, 1980, the Regional Director for Region 14 issued a Decision and Direction of Election in the above-entitled proceeding in which he found appropriate the Petitioner's requested unit of all full-time and regular part-time mechanics, assistant mechanics, lane attendants, pin chasers, counter control employees, and janitors/porters, excluding, *inter alia*, promenade attendants, bartenders, waitresses, snack bar attendants, and telephone solicitors. Thereafter, in accordance with Section 102.67 of the National Labor Relations Board Rules and Regulations, Series 8, as amended, the Employer filed a timely request for review of the Regional Director's decision on the ground that, in excluding promenade attendants from the unit found appropriate, he departed from officially reported Board precedent.

By telegraphic order dated December 4, 1980, the National Labor Relations Board granted the Employer's request for review. Thereafter, pursuant to the Board's procedures, the election was held on December 19, 1980, and the ballots were impounded pending the Board's decision on review.

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Board has reviewed the entire record in this case and makes the following findings:

The Employer, engaged in the operation of bowling centers, operates a facility known as the Brunswick Four Seasons Bowl located in Chesterfield, Missouri, the only facility involved herein. Although the Petitioner represents employees at some of the Employer's other facilities, there is no history of collective bargaining between the parties at the instant facility.¹ The Petitioner now seeks to

represent at this facility a unit of approximately 13 employees: 2 mechanics, 1 lane attendant, 2 pin chasers, 5 counter control employees, and 3 janitors. The Employer contends that its eight promenade attendants must be included in the unit. We agree.

The Employer's facility is open 7 days a week, 9 a.m. to 1-2 a.m. and includes 40 bowling lanes, snack shop and bar, billiard and game rooms, playroom for children, and a pro shop. All of the Employer's promenade (prom) attendants are high school or college students who are regularly scheduled to work from 10 to 30 hours per week. On weekdays they work from 3 p.m. until closing time; on the weekend, from 9 a.m. until closing. The duties of the prom attendants are to make score corrections and to perform a variety of janitorial duties listed on a daily assignment sheet, such as filling vending machines, cleaning and organizing the pro shop and billiard and game rooms, cleaning and stocking restrooms, and cleaning the entire promenade or concourse area (the open area down the middle of the bowling center where bowlers and spectators gather as bowlers wait their turn to bowl). Their cleaning duties are identical to the duties of the janitor/porters who work from midnight to 6-7 a.m. In fact, they work together part of the time as their schedules overlap from midnight to closing. Counter control employees perform any cleaning tasks that need to be done from opening time, 9 a.m., until the promenade attendants arrive at 3 p.m.

In addition to working with the janitors, prom attendants have substantial contact with other unit employees. Thus, counter control employees who primarily greet customers and assign lanes also give instructions to and direct prom attendants in the performance of their duties, making sure that the concourse area is kept as clean as possible during the hours the center is open to the public. Whenever a prom attendant has a problem with one of the automatic scorers that he is unable to fix, he calls a mechanic or pin chaser for assistance. Although prom attendants also have some contact with bartenders, waitresses, and snackbar attendants, such contact occurs only in the course of returning glasses to the bar, picking up the garbage, or cleaning a spill at the bar.

Of the eight prom attendants, one regularly works 2 days a week as a prom attendant and 2 days a week as a pin chaser; another is regularly assigned to telephone soliciting and snackbar duties in addition to his job as prom attendant. Prom attendants also substitute when needed for counter control employees, pin chasers, and snackbar attendants. However, prom attendants are required to

¹ The current collective-bargaining agreement between the parties with respect to the Employer's Brentwood, Missouri, facility covers "non-regular miscellaneous employees" whose duties are similar to the promenade attendants in the instant case. The Petitioner was certified on October 14, 1980, as representative of a unit of employees at the Employer's Brunswick Tri-Mor Bowl in Granite City, Illinois, which included promenade attendants. In a previous case involving the instant facility, the parties entered into a Stipulation for Certification upon Consent Election on March 16, 1979, wherein promenade attendants were excluded from the Unit.

have the same customer handling skills as counter control employees and are most often promoted to counter control or pin chaser positions.

All employees are commonly supervised by the Employer's manager and assistant manager.² Moreover, all employees who work a minimum of 25 hours per week receive the same holiday, vacation, sick leave, and insurance benefits, as well as employee discounts and free open bowling. All employees are hourly paid,³ punch the same time-clock, and receive a 15-minute break. All employees except for mechanics are trained at the bowling center by the Employer. And, all employees are paid at the same time, even though the bartenders and snackbar attendants are employees of and on the payroll of a separate corporation, the Carrolton Bowl Lounge.

In view of the foregoing, especially the fact that the functions of the prom attendants either overlap or are closely related to those of the

janitor/porters and to some extent the counter control employees, both unit employees, we find that to exclude prom attendants from the unit found appropriate would be arbitrary. *Heavenly Valley Ski Area, a California Corporation, and Heavenly Valley, a Partnership*, 197 NLRB 993 (1972). In addition, as prom attendants have substantial contact with both counter control employees, pin chasers, and mechanics; are required to have the same skills as counter control employees; are usually promoted to unit positions; and are commonly supervised with other unit employees, we find that prom attendants share such a close community of interest with the requested group employees that they must be included in the unit.

As the election was held in a unit which excluded promenade attendants, we shall order that it be vacated. And, inasmuch as the Petitioner indicated at the hearing that it is unwilling to proceed to an election in any unit other than the one requested, we shall dismiss the instant petition.

ORDER

It is hereby ordered that the election conducted on December 19, 1980, be vacated, and that the petition be dismissed.

² However, the counter control employees, playroom employees, and the telephone solicitors are also supervised by the Employer's program director. Snackbar employees receive separate, additional supervision from a snackbar supervisor.

³ The wage range for promenade attendants is \$3.10 to \$3.75 per hour; for counter control employees \$4.40 to \$5; for janitors \$4.75 to \$5; for pin chasers \$5.20 to \$5.50; and for mechanics \$7.50 to \$7.75.